Development Management – Delegated Officer Report

Application Number: AWDM/0045/23 **Recommendation: Approve**

Site: **The Old Town Hall, 142 Albion Street, Southwick**

Proposal: **Erection of three storey building to provide ground floor parking and 4 flats above**

Date of Site Visit: Visited in connection with AWDM/1633/21

Neighbours Checked: **Y**

Additional neighbour notification: **N**

Proposal, Site and Surroundings:

The application relates to the car park which serves the Old Town Hall on Albion Street. The site lies within the Southwick Riverside Conservation Area. The Old Town Hall to the west was formerly in office use but has been granted approval to be converted into flats. To the east is 144 Albion Street, a former commercial premises (occupied by Arrow Tyres) which has permission for redevelopment to flats with ground floor office (AWDM/2289/21). Directly to the south, on lower ground, is Malthouse Cottage, a residential property. Adjacent to Malthouse Cottage to the east is the Grade II listed Sussex Yacht Club building.

Permission was granted on this site under reference AWDM/1633/21 for the construction of a three storey office building. The current proposal seeks to construct a building of a very similar scale and design but for residential purposes, consisting of ground floor parking with 4no. flats on the first and second floors (3 x 1 bed and 1 x 2 bed).

The approved plans for AWDM/1633/21 showed a car park on the ground floor with 6no. offices above on two floors, totalling 230sqm. The building had three projecting gabled bays at the front with steeply pitched roofs. Two of the bays had a brickwork finish with the middle bay shown as having a coloured render finish. Tiles or a natural slate roof was proposed. At the rear it had a hipped roof with hipped tiled dormer windows set into the roof eaves. There was a narrow central section of flat roof, hidden by the slope of the roof, where rooftop PV panels were proposed. The building had a ridge height of 9m with the projecting gables increasing its height to 9.3m at those points.

The current plans show a very similar form of building but there are changes to the external appearance in order to accommodate the proposed flats. At the front, the three gables remain but a second floor dormer has been added at the western end of the building and at first floor the proposed window is larger and more centrally positioned.

At the rear, the appearance is much the same but with a larger rooflight at the western end and larger first floor window also at the western end. Two new windows are proposed at first floor on the west elevation and two rooflights on the eastern roofslope.

The plans have been amended throughout the course of the application to improve the internal layout for future residents and to safeguard the amenities of neighbouring occupiers.

Planning History:

SW/62/85 - Outline Application For Erection Of Three Storey Building To Form 2 Two Bedroom Flats And 6 One Bedroom Flats - This application was refused for a number of reasons including:

1. The proposed development, due to its scale, height and siting relative to adjacent buildings, would over dominate the surrounding properties and would be detrimental to the visual amenities and character of the Conservation Area within which the site is located and adversely affect the setting of a listed building and other buildings of townscape value.
2. The proposed development would result in unacceptable loss of light, overlooking and general detriment to the residential amenities of the adjacent dwelling to the south.

Other reasons related to likely noise disturbance for future residents from traffic noise, the loss of car parking associated with the Old Town Hall and inadequate access and parking for the development itself.

SW/42/86 - Outline Application For Two-Storey Office Building - approved

SW/60/87 - Outline Application For Redevelopment With 7 Two-Bedroom Flats, 2 One- Bedroom Flats & Offices - withdrawn

SW/113/88 - Outline Application For 3 Storey Office Block (With Parking Beneath) - withdrawn

SW/46/98 - Extension Of Offices At First And Second Floor Levels On East Side (With Parking Beneath) - refused for 2 reasons:

- lack of parking
- unsympathetic design, harmful to existing building and Conservation Area

NOTICE/0011/17 - Old Town Hall - Application for permitted development for prior approval for change of use from offices Use Class B1a set out over three floor to Use Class C3, 6 residential units - Prior Approval Granted

AWDM/0877/20 - Old Town Hall - Conversion of existing offices to form 6no. flats (1 x one bedroom and 5no. x two bedroom); proposed hipped roof rear extension to 2nd floor with inset balcony; flat roofed rear extension over part of existing 1st floor terrace with new glazed balustrade; cantilevered balcony to ground floor rear elevation; alterations to ground floor rear windows to form juliet balconies; rooflights to front, PV

panels to rear, 10no. parking spaces and covered cycle store building on land to east - approved

AWDM/2289/21 - 144 Albion Street - Demolition of existing building and construction of new three storey building comprising a ground floor commercial unit with four flats (2no. 1 bed and 2no. 2 bed) above with balconies on the south elevation; 2 no. car parking spaces and 8no. cycle spaces - still under consideration

AWDM/1633/21 - Erection of a new three storey office building, with ground floor parking under - approved

Consultations:

West Sussex County Council: The Highways Authority has no objection.

Access and Visibility

The applicant proposes to utilise an existing dropped kerb to provide access to the site. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on to Albion Street. In addition, the proposed development is not anticipated to lead to a significant material intensification of movements to or from the site.

Parking and Turning

The applicant proposes eight car parking spaces to serve the development. The WSCC Car Parking Demand Calculator indicates that a development of this size would require five car parking spaces – therefore, the proposed parking provision is considered sufficient. From inspection of the plans, the proposed parking bays are suitably sized and on-site turning appears achievable.

Regarding cycles, the applicant proposes a cycle store with provision for eight cycles for use by the four flats, in accordance with WSCC Parking Standards.

Sustainability

The site is situated in a sustainable location within walking distance of local services and amenities. Cycling is a viable option in the area. The site is also well connected by public transport, being within walking distance of nearby bus stops on Albion Street and Southwick Train Station to the northwest of the site.

Conditions

Car and cycle parking

Adur and Worthing Councils: Public Health: Original Plans: As we know from the recent neighbouring planning applications, the development area is severely affected by traffic noise. There is no acoustic assessment or noise mitigation plan submitted with this application and looking at the layout of the flats it is reasonable to suspect that noise has not been considered at all. In that, the application demonstrates poor acoustic design placing bedrooms and living areas on the noisiest northern facade and kitchens and bathrooms on the quieter Southern facade. Based on the information provided I must object to the application.

Amended Plans: The layout looks much better. We will still need the condition for the final acoustic scheme, ie for glazing, ventilation and overheating. But I am happy to withdraw my objection to this revised scheme. Precautionary contaminated land condition required.

Private Sector Housing: No objection

Southern Water: Request that should this planning application receive planning approval, the following condition is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water

Representations

Letter of objection received from the occupier of 33 White Rock Close:

- Previous application was objected to by residents
- Highway safety concerns
- Noise and disturbance during construction
- Out of character in design and appearance
- Overlooking of bedroom and lounge opposite
- Loss of light

Relevant Planning Policies

Adur Local Plan 2017 Policies 3, 4,15, 17, 18, 19, 20, 22, 28, 34, 35, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Southwick Conservation Area Character Appraisal & Management Strategy (ADC 2009)
Shoreham Harbour Joint Area Action Plan 2019
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The site is not allocated for any particular use in the Adur Local Plan. The site falls within the Shoreham Harbour Regeneration Area (Character Area 5) and is subject to policies in the Joint Area Action Plan (JAAP), particularly CA5, which designates Southwick Waterfront as an area for new mixed use development. There is support

for the redevelopment of sites within the area to deliver high quality, modern employment floorspace. Other policies in the JAAP require energy efficient and sustainable development (SH1), sustainable travel (SH5) and an enhancement of green infrastructure by providing a green corridor along the A259 (SH7).

Policy SH9 relates to place making and design quality. High standards of architectural design and detailing is required, as is a suitable scale and massing in relation to local context.

It is considered that the use of the car park for residential development, rather than office space, would not unduly compromise the aims of the JAAP to achieve high quality modern employment floorspace on Southwick Waterfront. Recently, new employment floorspace has been provided to the east, on the site of the former Nautical Training Corps, and at Lady Bee Enterprise Centre. This site sits above the waterfront where residential development has been approved within the Old Town Hall itself and with the conversion of the former Schooner Pub. The use of this building for residential flats is therefore considered to be acceptable in principle, subject to the usual development management considerations.

Visual amenity and heritage impact

One of the main considerations is the visual impact of the proposal upon the Conservation Area, the listed yacht club and the notable Old Town Hall and other surrounding buildings. The Southwick Conservation Area Appraisal states that:

"*The 'Riverside' part of the conservation area is located adjacent to Albion Street which is the main road for this part of the south coast. The quality of this environment is relatively poor due to the busy traffic and large gaps in the development.*
Recommendations:
• *Support the sympathetic redevelopment of the two existing gaps in the development*"

The building will be 9m tall and 21.4m wide, leaving a gap of 2.5m to the Old Town Hall. To the east, a gap of 1.1m is currently shown to the Arrow Tyres building but the proposed plans for that site shows this gap increasing slightly to 1.5m. It is considered that the scale of the building is sympathetic to its setting and will not dominate the Old Town Hall, being approximately 1.8m lower than the ridge of that building and leaving sufficient gaps to either side so as not to completely fill the space. The scale will be the same as that previously approved under AWDM/1633/21.

The design and use of sympathetic materials respects the Conservation Area and it is considered that the building will sit comfortably next to the Old Town Hall and enhance the Conservation Area by filling in the current unsightly gap in the frontage. The proposed small pitched roof front dormer and other minor design changes are not considered to compromise the design or appearance.

When viewed from the south, from the lower ground at Riverside and from across the basin, the building will appear in scale with neighbouring buildings. While it will be visible above the roof of the listed yacht club building it will not appear overly dominant, with a similar eaves line to the Old Town Hall, lower ridge and modest dormers. It is also offset from the listed building and not all of the proposed building sits directly

behind it. The proposal is therefore not considered to cause harm to the existing heritage assets.

Residential amenity - effect on existing dwellings

The properties most affected by this development are Malthouse Cottage to the south, the proposed new flats in the Old Town Hall to the west and the potential new residents on the site to the east.

Malthouse Cottage sits at a lower level, immediately adjacent to the southern boundary of the site, which is formed by a flint wall. It has a largely blank rear elevation with a solid door giving access to a small courtyard garden which sits between the house and the flint wall. There is also a small east facing window on a rear projection which faces over the garden. There are also openings below the level of the wall.

The main bulk of the proposed building would be sited 2.6m from the boundary wall. A ground floor projection will abut the wall on the south west end but will sit below the top of the wall. The ground floor parking area is also shown abutting the wall but will be uncovered at that point.

The rear elevation of the building is shown with windows at first floor and roof level and the westernmost of these are currently shown as being obscure glazed. The previous office scheme had a condition requiring all rear windows to be obscured. In this case, the obscured windows are those nearest to Malthouse Cottage and are shown as serving kitchen/dining areas, stairwells and bathrooms. The easternmost windows were shown as being clear glazed and they serve two bedrooms. Direct views from the windows face south over the roof of an outbuilding in the garden of Malthouse Cottage rather than directly towards the house or garden itself, but views would still be possible. The approved plans for the offices showed obscured glazing across the entire rear elevation and amended plans have since been received which now show the bedroom windows as part obscured up to 1.7m above floor level. While not ideal for a habitable room not to have an entirely clear window, on balance, it is considered that it is an acceptable compromise in order to protect the amenities of Malthouse Cottage.

With the rear windows being obscured any potential impact in terms of overlooking would be removed. The rear garden of Malthouse Cottage already receives limited light due to it being due north of the house, narrow and below the flint wall. There would be no loss of sunlight arising from this proposal. Daylight would be affected but consideration must be given to how much or little daylight the garden already receives. No daylight or sunlight assessment has been submitted with the application but the proposed building would be to the north, set off the boundary wall by 2.6m. While tall it would have an eaves height of 6.2m with the roof pitching away beyond that. Malthouse Cottage has its principal openings on the south and west and they are unaffected by this proposal. The proposed building is no higher or larger than the previous approved scheme and it is considered therefore that it will have the same acceptable level of impact upon the residential amenities of the occupiers of Malthouse Cottage as before.

To the west, there are limited openings in the east elevation of the Old Town Hall. The

proposed flats that are affected are a ground floor flat with two window openings serving a bedroom and kitchen. Light will be affected to these rooms but the principal outlook and light to the living area of this flat is from the front (north) and, on balance, the impact is not so harmful as to warrant refusal. The proposed side windows in the building subject of this application are on the first floor and serve a living/kitchen area and will not overlook any clear glazed windows at the Town Hall.

At second floor (roof level) there is a secondary rooflight to an open plan living/kitchen area with main outlook to front and rear. Again, there are no concerns about the impact on the amenity for this flat.

To the east, the proposed development shows only one rooflight on its west elevation facing the site and there are no concerns about the impact on that development, should it be approved. Two rooflights are proposed in the side of the proposed building but these will be high level and not cause overlooking.

To the north, on the opposite side of the A259, is White Rock Place, a 4 storey block of flats set back from the road behind a wide grassed area. The proposed building will be approximately 27m from the flats and it is not considered that it will cause harm to the amenity of the occupiers of White Rock Place. While the Council's DM Standard recommends a separation distance of 28m between buildings over 3 storeys, the shortfall in this case is considered to be negligible and it will be no closer than the already approved flats in the Town Hall building to the west.

Residential amenity - proposed occupiers

The proposed flats are shown as having a floor area of 51, 52 and 82 sqm for the 1 bed flats and 70 sqm for the 2 bed flat. These areas meet the nationally described space standards for 2 person 1 bed flats and 4 person 2 bed flats.

Noise from road traffic is a concern, as is possible disturbance from the yacht club which is licensed to sell alcohol and have live and recorded music. Noise from the port may also cause disturbance. A Noise Impact Assessment was submitted with the application which recommends that attenuation is provided for both the north and south sides of the building through the use of acoustic glazing and mechanical ventilation (MVHR). The internal layout has also been revised during the course of the application to try to minimise the siting of noise sensitive rooms at the front. The EHO is satisfied with the layout and has no objection subject to conditions to secure the attenuation measures.

No external amenity space is provided. The site has limited space around it preventing the provision of a garden. However, the site is in close proximity to the beach (accessible over the lock gates close by to the west) and Southwick Green so there are opportunities to enjoy open space close to the development. New development on a tight urban site does not always provide opportunities to comply with external amenity standards and it is considered that, overall, the development will result in an acceptable standard of amenity for future residents.

Accessibility and parking

The car park currently serves the Old Town Hall and the plans for the conversion of that building to flats show the provision of 10 parking spaces to serve the 6 flats proposed (AWDM/0877/20) plus cycle storage .

The current application will build over the car park and provide 8 parking spaces. The previous application for the office proposed that the spaces would be shared with the proposed residents of the flats in the Old Town Hall (the sites are in the same ownership). However, the current application proposes to allocate the spaces to the residents of the flats in the current proposal initially, with any spare spaces then offered to those in the Town Hall site.

The site is in a very sustainable location, being very close to the Southwick Railway Station and bus stops on the A259. There is limited parking capacity on local streets and WSCC Highways consider it unlikely that any overspill parking will have an effect that can be defined as unacceptable or severe, especially when considering the site's historic use and level of overspill parking that it created.

The development will re-use the existing vehicular access onto Albion Street and there are no highway safety concerns with this arrangement. The proposed A259 cycle route will run past the front of the site but WSCC has confirmed that there is no requirement for any additional land beyond the highway boundary to be set aside for the cycle scheme at this point as the proposed route will involve realignment of the carriageway to the north instead. The proposal is therefore considered to be acceptable in highway safety, access and parking terms.

Flood risk and Drainage

A pre-commencement condition has been requested by Southern Water to ensure that a satisfactory surface water drainage scheme is provided.

Energy and Sustainability

An Energy and Sustainability Statement has been submitted with the application. Air source heat pumps and solar PV panels are proposed as before.

Overall, the proposal is considered to provide a good level of sustainability and energy efficiency.

Contaminated land

The site is adjacent to a former tyre fitter and repair garage and is potentially contaminated. A condition is recommended to ensure that any contamination is investigated and dealt with prior to commencement of development.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard time limit
3. Contaminated Land
4. External materials to be approved
5. Rear windows to be obscure glazed
6. Construction Management Plan to include control over hours of construction
7. Surface water drainage scheme to be submitted and approved prior to commencement
8. Car and cycle parking to be provided with EV charging spaces
9. Details of solar panels and location of air source heat pumps to be submitted and approved
10. Noise protection

Is recommendation contrary to letter(s) of representation N

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 10 August 2023

Authorised by: Gary Peck Date: 11 August 2023